REMARKS

Claims 1-4, 6-17 and 19 will be pending upon entry of the present response.

Claim 18 has been canceled without prejudice herein. Claims 1, 2, 6, 14, 15, 16 and 19 have been amended to more clearly claim the invention disclosed in the specification. In particular, claims 1, 6, 14, 15 and 16 have been amended to recite in a consistent manner that the antigen-based heteropolymer (AHP) comprises a monoclonal antibody that specifically binds a complement receptor (CR1) site on a primate erythrocyte, wherein said monoclonal antibody is crosslinked to an antigen specific for a target pathogenic antibody or autoantibody. Claims 6, 14 and 15 have also been amended to delete the term "which is." Support for the amendments is found in the specification as originally filed, *inter alia*, at page 3, lines 9-18 and page 6, lines 13-21.

Claim 2 has been amended to recite that the monoclonal antibody is selected from the group consisting of 1B4, HB8592, and 7G9 so as to be consistent with claim 7 and claim 19. Claim 19 has been amended to depend from claim 16 since claim 18 has been canceled.

No new matter is added by the amendments to the claims.

Restriction Requirement

The Examiner has required an election under 35 U.S.C. § 121 of one of the following inventions:

Group I: Claims 1-4, drawn to an antigen-based heteropolymer complex comprising an anti-CR1 monoclonal antibody crosslinked to an antigen that is the target of a pathogenic antibody, classified in class 530, subclass 391.7;

Group II: Claims 6-14, drawn to a method of treating autoimmunity comprising administering an antigen-based heteropolymer complex comprising an anti-CR1

monoclonal antibody crosslinked to an antigen that is the target of a pathogenic antibody, classified in class 424, subclass 178.1;

Group III: Claim 15, drawn to a method of treating autoimmunity comprising administering an erythrocyte that has been incubated *ex vivo* with an antigen-based heteropolymer complex comprising an anti-CR1 monoclonal antibody crosslinked to an antigen that is the target of a pathogenic antibody, classified in class 424, subclass 93.73; and

Group IV: Claims 16-19; drawn to a method of detecting the presence of an autoantibody in a sample comprising contacting plasma from a subject with an antigen-based heteropolymer complex comprising an anti-CR1 monoclonal antibody crosslinked to an antigen that is the target of a pathogenic antibody of interest, classified in class 432, subclass 7.25 and class 436, subclass 506.

The Examiner contends that the inventions of the above Groups are distinct, each from the other.

In order to be fully responsive, Applicants hereby elect the invention of Group I, claims 1-4, drawn to an antigen-based heteropolymer complex comprising an anti-CR1 monoclonal antibody crosslinked to an antigen that is the target of a pathogenic antibody, classified in class 530, subclass 391.7.

With respect to division of the invention into four groups and the reasons stated therefor, Applicants respectfully traverse and submit that to search and examine all of the claims together would not be a serious burden.

The M.P.E.P. § 803 (Eighth Edition, Rev. 3, August 2005) states:

> If the search and examination of all the claims in an application can be made without serious burden, the examiner must examine them on the merits, even though they include claims to independent or distinct inventions.

Thus, in view of M.P.E.P. § 803, the claims of Groups I-IV, claims 1-4, 6-17

and 19, which are related as product and process of using said product, should be searched and examined in the subject application.

Upon the allowance of a product claim, Applicants request that any withdrawn process claims that depend from or otherwise include all the limitations of the allowable product claims be rejoined in accordance with the provisions of M.P.E.P. § 821.04. Presently, Applicants believe that process claims 6-17 and 19 include all the limitations of a product within elected Group I.

Applicants retain the right to petition from the restriction requirement under 37 C.F.R. § 1.144.

CONCLUSION

Applicants respectfully request that the above-made remarks of the present response be entered and made of record in the file history present application.

Applicants request that the Examiner call the undersigned at (212) 326-3939 if any questions or issues remain.

Respectfully submitted,

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